

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

HAWAII CHILDREN'S BLOOD	)	CIVIL NO. CV03-00708 SOM-LEK
AND CANCER GROUP,	)	(Other Civil Action)
	)	
Plaintiff,	)	DECLARATION OF KENNETH S.
	)	ROBBINS
vs.	)	
	)	
HAWAII PACIFIC HEALTH;	)	
KAPI'OLANI MEDICAL	)	
SPECIALISTS; KAPI'OLANI	)	
MEDICAL CENTER FOR	)	
WOMEN AND CHILDREN,	)	
	)	
Defendants.	)	
_____	)	

DECLARATION OF KENNETH S. ROBBINS

I, KENNETH S. ROBBINS, make the following declaration on personal knowledge , unless otherwise indicated, and am competent to testify to the matters stated herein.

1. I am an attorney licensed to practice in all courts in the state of Hawai'i.

2. I am the lead defense counsel for Defendants HAWAII PACIFIC HEALTH, KAPI'OLANI MEDICAL SPECIALISTS , and KAPI'OLANI MEDICAL CENTER FOR WOMEN AND CHILDREN (collectively referred to as "Defendants").

3. Following the June 19, 2008 status conference, Magistrate Judge Kobayashi set a July 15, 2008 deadline for the parties to file dispositive motions. (See Document No. 145.)

4. Defendants were not able to file their motion to amend the Rule 16 scheduling order earlier, as the parties were awaiting the filing of an order by the Honorable Bert I. Ayabe in State Court. This anticipated order was filed July 1, 2008 and received by my office on July 2, 2008.

5. As we are dealing with very time sensitive dates for the filing of Defendants' dispositive motion prior to the July 15 deadline, it is respectfully requested that time be shortened to hear Defendants' Motion to Amend the Rule 16 Scheduling Order so that, if granted, there will be sufficient time to file dispositive motions on or before July 15.

6. Given this Court's schedule, hearing of the Motion to Amend Rule 16 Scheduling Order within the normal course of scheduling would probably leave little or no time before the July 15 deadline within which to file dispositive motions.

7. On July 2, 2008 John-Anderson Meyer, Esq. of my office called Rafael G. del Castillo, Esq., counsel for Plaintiff and left a voicemail message for him seeking a stipulation to the shortening of time sought herein.

8. On July 3, 2008, having received no response to his voicemail, Mr. Meyer again called, and this time spoke with, Mr. Del Castillo, seeking a stipulation to shorten time as required by Local Rule 6.2(e). Mr. del Castillo asked whether he could review the Motion to Amend the Rule 16 Scheduling Order before agreeing to stipulate to a shortening of time requested herein.

9. Pursuant to Mr. del Castillo's request, Mr. Meyer emailed to him an unfiled copy of the motion to Amend the Rule 16 Scheduling Order at 12:34 this afternoon, advising him that a response was requested at his earliest convenience, as Defendants intended to file the Motion to Amend the Rule 16 Scheduling Conference today, along with the instant Ex Parte Motion to shorten time.

10. As of the time of filing, my office has received no further response from Mr. del Castillo.

11. Accordingly, we have not been able to obtain a stipulation to the shortening of time requested herein.

I declare under penalty of law that the foregoing statements are true and correct.

DATED: Honolulu, Hawai'i, July 3, 2008

/s/ Kenneth S. Robbins  
KENNETH S. ROBBINS

Civil No. CV03-00708 SOM-LEK; Hawaii Children's Blood and Cancer Group v. Hawai'i Pacific Health, et al.; DECLARATION OF KENNETH S. ROBBINS